

IN RE: PETITION FOR ZONING VARIANCE
1575 Old North Point Road,
1770' NE of North Point Blvd.
(4200 North Point Boulevard)
15th Election District
7th Councilmanic District

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 89-480-A

Robert P. Schlatterbeck, et al
Petitioners

FINDINGS OF FACT AND CONCLUSION F.L.W.

The Petitioners herein request a zoning variance to permit a side yard setback of 6.5 feet in lieu of the required 30 feet, and a crusher run surface in lieu of the required durable and dust-free surface, for a proposed machine shop with office space all as more particularly described in Petitioner's Exhibit 1.

The Petitioners, Robert P. Schlatterbeck and Joseph E. Davis, appeared, testified and were represented by John B. Gontum, Esquire. Also appearing on behalf of the Petition was William Bafitis, Engineer for Petitioner. Appearing and testifying as Protestants in the matter were Joseph W. Dally and Cynthia Taylor, adjoining property owners.

Testimony indicated that the subject property, known as 4200 North Point Boulevard, consists of 2.02 acres more or less split zoned B.R.-C.S.I. and B.R.-I.M., and is located between Old North Point Road and North Point Road within the Chesapeake Bay Critical Area near the Patuxent River as set forth in Petitioner's Exhibit 1. Petitioner's Exhibit 1 was submitted as an amended site plan in response to comments filed by the County Zoning Plans Advisory Committee. Petitioners propose using the subject property for a machine shop. Testimony presented by Petitioners indicated that the proposed building will be set away from the exist-

ing residence of Mr. Joseph Dally, and as much as possible outside of the Critical Areas in which the rear portion of the property falls.

Testimony indicated that due to the unique characteristics and shape of the lot the requested variances are necessary to enable Petitioners to construct a building of sufficient size to meet their needs and to locate the building as much as possible outside the Critical Areas. Testimony presented by Petitioners and Mr. Bafitis contend denial of the variances will result in hardship to Petitioners while the granting of the variances requested, as herein restricted, would not result in any detriment to the health, safety or general welfare of the community.

The Protestants, who own property adjacent to and south of the subject site, indicated their primary concerns were with the proposed use of the property and with storm water run-off from the site, both as it now exists and after improvements are made. In addition, the Protestants are concerned over the requested variance to paving requirements. Prior to the hearing the Petitioners and Protestants discussed and agreed upon restrictions which would be placed on the property to address the concerns raised by the Protestants in the event the relief requested was granted.

The Protestants indicated that if the requested variances were modified, the project would be more acceptable. These modifications include modifying the requested variance to paving requirements, planting and screening the subject property, construction of a stockade wooden fence, limitations as to the operation of the machine shop, and storm water management controls.

After due consideration of the testimony and evidence presented, in the opinion of the Zoning Commissioner, the variances requested, as hereinafter modified, sufficiently comply with the requirements of Sections

- 2 -

307.1, 307.2 and 500.14 of the Baltimore County Zoning Regulations (B.C.Z.R.) and should therefore be granted. There is no evidence in the record that the setback variance would adversely affect the health, safety, and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner. The paving variance will not be granted, however, Petitioners shall have until November 1, 1990 to pave the property in accordance with paving requirements, due to the extremely high water table of the area and the existing soil conditions, provided Petitioners submit written approval of a delay from the Department of Environmental Protection and Resource Management.

The facts and evidence presented tend to establish that special conditions or circumstances exist which are peculiar to the land or structures located within the Chesapeake Bay Critical Areas of Baltimore County; that to deny the relief requested would result in practical difficulty, unreasonable hardship, or severe economic hardship upon the Petitioner; and that strict compliance with the Chesapeake Bay Critical Area requirements and the B.C.Z.R. would deprive the Petitioner of rights commonly enjoyed by other properties in similar areas within the Chesapeake Bay Critical Areas in Baltimore County. The granting of the relief requested will not confer upon the petitioner any special privilege that would be denied by the critical area regulations to other lands or structures within the Chesapeake Bay Critical Areas. Clearly, the request is not based upon conditions or circumstances which are the result of the Petitioner's actions, nor does the request arise from a condition relating to land or building use, either permitted or non-conforming, on another property. The relief requested is in harmony with the general spirit and intent of

- 3 -

the Critical Areas legislation for Baltimore County and conforms to the requirements as set forth in Section 500.14 of the B.C.Z.R.

In accordance with Section 500.14 of the B.C.Z.R., the Director of the Department of Environmental Protection and Resource Management has submitted recommendations which describe what steps the Petitioner must take to insure that the relief requested complies with the following Chesapeake Bay Critical Areas requirements to:

- 1) Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have run off from surrounding lands;
- 2) Conserve fish, wildlife, and plant habitat; and
- 3) Be consistent with established land use policies for development in the Chesapeake Bay Critical Area which accommodate growth and also address the fact that, even if pollution is controlled, the number, movement, and activities of persons in that area can create adverse environmental impacts.

These recommendations shall be attached hereto and become a permanent part of the decision rendered in this case. There is no evidence in the record that the relief requested would adversely affect the health, safety, and/or general welfare of the public provided there is compliance with the requirements of the Department of Environmental Protection and Resource Management as more fully described below.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variances requested, as modified, should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 30th day of June, 1989 that the Petition for Zoning Variance to permit a side yard setback of 6.5 feet in lieu of the required 30 feet, for a proposed machine shop with office space all as

- 4 -

more particularly described in Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

2) At such time as may be agreed upon between the Petitioners and Mr. Joseph Dally, the adjoining property owner, the Petitioners shall plant an evergreen planting strip on Mr. Dally's property along their joint property line adjacent to the parking area. In no event shall the planting be completed later than forty-five (45) days after completion of construction of the proposed building on the subject property, unless the Baltimore County Landscape Planner determines it is an inappropriate time of the year to plant and sets an alternative date for planting. Upon completion, said evergreen planting strip shall become the property of Mr. Dally.

3) Petitioners shall erect a 6-foot high stockade wooden fence along their property line adjacent to the Dally property as indicated on the site plan.

4) The operations of the machine shop shall be restricted to only one (1) daylight shift, plus reasonable overtime. In no event shall reasonable overtime exceed more than five (5) employees or work during the hours of 6:00 PM to 6:00 AM.

5) Petitioners shall comply with all Baltimore County storm water management and sediment control regulations, particularly as they relate to the storm water runoff from the subject property during and after completion of the proposed improvements.

6) Petitioners shall comply with all Baltimore County development regulations or obtain waivers of same.

7) Petitioners shall submit a landscaping plan for approval by the Baltimore County Landscape Planner. A copy of the approved landscaping plan shall be submitted

- 5 -

ted to the Zoning Office for inclusion in the case file.

8) Not more than 25 employees shall be regularly engaged in fabrication, repair, cleaning, or other processing of goods or articles on the subject property.

9) Upon request and reasonable notice, Petitioners shall permit a representative of the Zoning Enforcement Division to make an inspection of the subject property to insure compliance with this Order.

10) When applying for a building permit, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this Order; and,

IT IS FURTHER ORDERED that the Petitioner shall comply fully and completely with all requirements and recommendations of the Department of Environmental Protection and Resource Management, as set forth in their comments dated May 23, 1989, attached hereto and made a part hereof.

IT IS FURTHER ORDERED that a variance to the paving requirements set forth in Section 409.8.A2 of the B.C.Z.R. be and is hereby DENIED; however, Petitioners shall have until November 1, 1990 to pave the parking and driveway areas with a durable and dustless surface in accordance with Baltimore County paving requirements, provided written approval of said delay is submitted by the Department of Environmental Protection and Resource Management to the Zoning Commissioner's Office within ninety (90) days of the date of this Order and/or prior to commencement of construction. In the event said approval is not obtained by Petitioners, the relief granted herein to allow Petitioners until November 1, 1990 to comply with the paving requirements shall be rescinded and Petitioners shall be required to comply with Section 409.8.A2.

Ann M. Nastarowicz
Deputy Zoning Commissioner
for Baltimore County

ANN:bjs

- 6 -

PETITION FOR ZONING VARIANCE
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 89-480-A

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 307.1, 307.2, and 500.14 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 6.5 feet in lieu of the required 30 feet, and a crusher run surface in lieu of the required durable and dust-free surface, for a proposed machine shop with office space all as more particularly described in Petitioner's Exhibit 1.

as well as stated area

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:
(Type or Print Name)
Signature
Address
City and State
Attorney for Petitioner:
(Type or Print Name)
Signature
Address
City and State
Attorney's Telephone No.: 576-1224

Legal Owner(s):
(Type or Print Name)
Signature
Address
City and State
Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Name
Address
Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 23rd day of June, 1989, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commission of Baltimore County in Room 100, County Office Building in Towson, Baltimore County, on the 26th day of May, 1989, at 11 o'clock A.M.

(over)

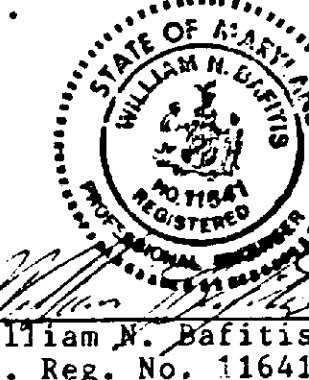


ZONING DESCRIPTION
FOR
PROPOSED A.S.I. BUILDING

Beginning at a point on the west side of Old North Point Road, 40 feet wide, said point being 1,770 feet, more or less, in a northerly direction from the northeast corner of North Point Boulevard and Old North Point Road; thence leaving said road the following courses:

1. South 74° - 26' West 170.00 feet to a point; thence
2. South 15° - 41' East 110.00 feet to a point; thence
3. South 60° - 09' West 253.02 feet to a point on the east side of North Point Boulevard; thence running with and binding on the east side of said North Point Boulevard, 150 feet wide,
4. North 20° - 20' West 205.00 feet to a point; thence leaving said North Point Boulevard.
5. North 58° - 53' East 448.9 feet to a point on the west side of Old North Point Road; thence running with and binding on the west side of said Old North Point Road.
6. South 15° - 41' East 154.96 feet to the point of beginning.

Containing 74,052 square feet or 1.70 acres of land, more or less.



William M. Bafitis, P.E.
MD. Reg. No. 11641

Civil Engineers / Land Planners / Surveyors - 1249 Englebert Road / Baltimore, Maryland 21221 / 301-391-2336

PROTESTANT(S) SIGN-IN SHEET
NAME: JOSEPH W. DAILY
ADDRESS: 4201 NORTH POINT RD 21222
4209 North Point Rd 21222

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME: Paul L. Hultahl
ADDRESS: 1377 Wilson Pt Rd
25th 7th St. BALTO. MD. 21219

ADDRESS: 1377 Wilson Pt Rd
25th 7th St. BALTO. MD. 21219

NOTICE OF HEARING
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 at 11:00 a.m.
Petition for Zoning Variance
Case Number: 89-480-A
NUS Old North Point, 1770' NE North Point Blvd.
15th Election District
7th Councilmanic District
Petitioner(s): Robert P. Schlotterbeck and Joseph E. Davis
Heavy Duty Truck
May 15, 1989 at 11:00 a.m.
Variance: To allow a 6.5 foot side yard in lieu of the required 30 feet and to allow a crusher run surface in lieu of the required durable and dust free surface.
In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commission will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.
J. ROBERT HAINES
Zoning Commissioner of Baltimore County
5015 May 4

CERTIFICATE OF PUBLICATION

TOWSON, MD., May 4, 1989
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on May 4, 1989.

THE JEFFERSONIAN,

S. Zaks, Editor
Publisher

PO12082
reg M28928
ca 89-480-A
price \$ 39.40

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 15th Date of Posting: 5/4/89
Posted for: Variance
Petitioner: Robert P. Schlotterbeck & Joseph E. Davis
Location of property: NUS Old North Point, 1770' NE North Point Blvd.
(area on East Blvd. adjacent to 9th St.)
Location of Sign: Facing N. Pt. Rd. across 15th St. on 9th St.
Remarks: Property Reg. P. Haines
Posted by: J. Robert Haines Date of return: 5/12/89
Number of Signs: 1

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
484-3353
J. Robert Haines
Zoning Commissioner

Date: 5/15/89



Dennis F. Rasmussen
County Executive

Robert P. Schlotterbeck
Joseph E. Davis
2811 7th Street, Millers Island
Baltimore, Maryland 21219

Re: Petition for Zoning Variance
CASE NUMBER: 89-480-A
NUS Old North Point, 1770' NE North Point Blvd.
4200 North Point Boulevard
15th Election District - 7th Councilmanic
Petitioner(s): Robert P. Schlotterbeck and Joseph E. Davis
HEARING SCHEDULED: FRIDAY, MAY 26, 1989 at 11:00 a.m.

Gentlemen:
Please be advised that \$100.00 is due for advertising and posting of the above-referenced property. All fees must be paid prior to the hearing. Do not remove the sign and post set(s) from the property from the time it is posted by this office until the day of the hearing itself.

THIS FEE MUST BE PAID AND THE ZONING SIGN(S) AND POST(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Please make your check payable to Baltimore County, Maryland and bring it along with the sign(s) and post(s) to the Zoning Office, County Office Building, Room 111, Towson, Maryland 21204 fifteen (15) minutes before the hearing.

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
DATE: 5/10/89 ACCOUNT: P-01-615-000
AMOUNT: \$ 100.00
RECEIVED FROM: Robert P. Schlotterbeck & Joseph E. Davis
FOR: PIA 89-480-A
VALIDATION ON SIGNATURE OF CASHIER
J. Robert Haines
Zoning Commissioner

CERTIFICATE OF PUBLICATION

OFFICE OF
Dundalk Eagle

4 N. Center Place
P.O. Box 8936
Dundalk, Md. 21222 May 4, 1989

THIS IS TO CERTIFY, that the annexed advertisement of J. Robert Haines in the matter of Zoning Hrgs. Case #89-480-A - P.O. #12029 - Reg. #M28929 - 92 lines was inserted in The Dundalk Eagle a weekly newspaper published in Baltimore County, Maryland, once a week for one successive week before the 5th day of May 1989; that is to say the same was inserted in the issues of May 4, 1989

Kimbel Publication, Inc.
per Publisher.

By K.C. O'Neil

89-480-A
BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this 23rd day of April, 1989.

Petitioner: Robert P. Schlotterbeck, et al
Attorney: John D. Contrum
Received by: James E. Dyer
Chairman, Zoning Plans Advisory Committee

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
484-3353

April 17, 1989

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Zoning Variance
CASE NUMBER: 89-480-A
NUS Old North Point, 1770' NE North Point Blvd.
4200 North Point Boulevard
15th Election District - 7th Councilmanic
Petitioner(s): Robert P. Schlotterbeck and Joseph E. Davis
HEARING SCHEDULED: FRIDAY, MAY 26, 1989 at 11:00 a.m.

Variance to allow a 6.5 foot side yard in lieu of the required 30 feet; and to allow a crusher run surface in lieu of the required durable and dust free surface.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. ROBERT HAINES
Zoning Commissioner of Baltimore County

cc: Robert P. Schlotterbeck
Joseph E. Davis
John Contrum, Esq.
Chesapeake Bay Critical Area Commission
File

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353

J. Robert Haines
Zoning Commissioner

John B. Contrum, Esq.
Romadka, Contrum & Hennegan
Irvington Federal Building
809 Essex Avenue
Essex, Maryland 21221

Re: Item, #333

Dear Mr. Contrum:

Please be advised that although your request for an early hearing will be given every consideration, regulations require that all matters within the Chesapeake Bay Critical Area be reviewed by the Department of Environmental Protection and Resource Management, before same can be set for hearing.

Upon completion of their review, written comments will be forwarded to this office. At that time, your case will be set on the first available date.

If you have any further questions, please feel free to contact this office.

Very truly yours,

J. ROBERT HAINES
ZONING COMMISSIONER
for Baltimore County

JRH:gs

LAW FIRM
Romadka, Contrum & Hennegan
IRVINGTON FEDERAL BUILDING
809 EASTERN BOULEVARD
ESSEX, MARYLAND 21221
TELEPHONE (301) 686-8274
FAX # 886-0118

ROBERT J. ROMADKA
JOHN B. CONTRUM
JOHN G. HENNEGAN
DONALD H. SHEFFY
NANCY E. DWYER

March 3, 1989

J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item 333 Commercial Variance

Dear Mr. Haines:

On February 8th we filed a Petition for a Zoning Variance on behalf of Mr. Robert Schlotterbeck pertaining to property which he owns at 4200 North Point Boulevard. We would respectfully request a prompt hearing in this matter. The lease which Mr. Schlotterbeck has for his current business is up this November. Consequently, we would need to construct a new building and have it finished and ready to operate prior to the termination of his lease. Approximately 90% of the work which Mr. Schlotterbeck does is for the military. His business consists of making high precision and detailed hardware for military instruments including radar and Avacs systems. The military requires that the new building be completely furnished prior to moving.

Already, we have been given a waiver of the CRG process. The CRG plan itself is being considered and we are receiving comments on such items as storm water management. It is our understanding at this point only the zoning issues remain to be resolved prior to applying for the building permits. Your assistance in giving us a speedy date would be much appreciated in order that we can fulfill the government contracts which we currently have as well as be able to move prior to the expiration of our current lease.

Very truly yours,

John B. Contrum

JBG:kb
cc: Bill Bafitis

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

May 4, 1989

John B. Contrum, Esquire
809 Eastern Blvd
Baltimore, MD 21221

Re: Item No. 333, Case No. 89-480-A
Petitioner: Robert P. Schlotterbeck, et al
Petition for Zoning Variance

Dear Mr. Contrum:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development of plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,

James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:jw

Enclosures

cc: Mr. Robert P. Schlotterbeck
Mr. Joseph E. Davis
2811 7th Street Miller's Island
Baltimore, MD 21219



Maryland Department of Transportation
State Highway Administration

Richard H. Trainor
Secretary
Hal Kassoff
Administrator

March 1, 1989

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Baltimore County
A.S.I. Building
Zoning Meeting of 2-28-89
W/S North Point Road
(MD 20) 1,770' North of
North Point Boulevard
(Item #333)

Attn: Mr. James Dyer

Dear Mr. Haines:

After reviewing the submittal for a variance to allow a 6.5 foot side yard setback in lieu of the required 30 feet, we find the plan must be revised per our letter to Bafitis and Associates dated 1-23-89 enclosed.

It is requested these revisions be made prior to a hearing date being set.

If you have any questions, please contact Larry Brocato at 333-1350.

Very truly yours,

Robert C. Metzger
Robert C. Metzger, Jr., Chief
Bureau of Engineering
Access Permits

LB:raw

cc: Bafitis & Associates (w-enclosure)
Mr. J. Ogle (w-enclosure)

RECEIVED
MAR 6 1989
ZONING OFFICE

My telephone number is (301) 333-1350

383-7555 Baltimore Metro - 585-0451 D.C. Metro - 1-800-482-5082 Statewide Toll Free
707 North Calvert St., Baltimore, Maryland 21203-0717



Maryland Department of Transportation
State Highway Administration

Richard H. Trainor
Secretary
Hal Kassoff
Administrator

January 23, 1989

Mr. Charles E. Greenfelder
Bafitis & Associates
1249 Englebert Road
Baltimore, Maryland 21221

Re: Baltimore County
A.S.I. Building
W/S North Point Road
(MD 20) - 4201 North
Point Road

Dear Mr. Greenfelder:

After reviewing your submittal for the A.S.I. Building, we have the following comment.

The plan must show the construction of concrete curb and gutter along the complete frontage of this property at a distance of 21' from the centerline of North Point Road.

Also, a 100' acceleration lane must be constructed south of the entrance.

This proposed 30' entrance must show 10' radii on the plan.

This plan has been forwarded to our Assistant District Engineer of Traffic for his review and comment on access to this site.

If you have any questions, please contact Larry Brocato of this office at 333-1350.

Very truly yours,

Robert C. Metzger
Robert C. Metzger, Jr., Chief
Bureau of Engineering
Access Permits

LB:maw

cc: Mr. D. Wiles (w-attachment)

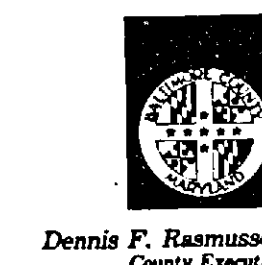
My telephone number is (301) 333-1350

383-7555 Baltimore Metro - 585-0451 D.C. Metro - 1-800-482-5082 Statewide Toll Free
707 North Calvert St., Baltimore, Maryland 21203-0717

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
County Office Building
Towson, Maryland 21204
494-3554

March 28, 1989

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, MD 21204



Dear Mr. Haines:

The Bureau of Traffic has no comments for items number 289, 291, 316, 333, 334, 339, 340, 342, 343, 344, 345, 346, 347, 348, 349, 351, 356, and 357.

Very truly yours,

Michael S. Flanagan
Michael S. Flanagan
Traffic Engineer Associate II

MSF/lab

RECEIVED
MAR 29 1989
ZONING OFFICE

Baltimore County
Fire Department
Towson, Maryland 21204-2386
494-4588
Paul H. Reincke
Chief

J. Robert Haines, Zoning Commissioner
Office of Planning & Zoning
Baltimore County Office Building
Towson, Maryland 21204

Re: Property Owner: Robert P. Schlottenbeck; Joseph E. Davis

Location: NWS Old North Point

Item No.: 333

Zoning Agenda: February 28, 1989

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

() 1. Fire hydrants for the referenced property are required and shall be located at intervals of _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

() 2. A second means of vehicle access is required for the site.

() 3. The vehicle dead end condition shown at _____

EXCEEDS the maximum allowed by the Fire Department.

(X) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

(X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code," 1976 edition prior to occupancy.

() 6. Site plans are approved, as drawn.

() 7. The Fire Prevention Bureau has no comments at this time.

* Fire main shall have a minimum diameter of 8 inches.

REVIEWER: *Paul H. Reincke*
Paul H. Reincke
Special Inspection Division

NOTED & APPROVED: *Robert P. Schlottenbeck*
Robert P. Schlottenbeck
Fire Prevention Bureau

/s/

ME 20 W

Baltimore County
Department of Environmental Protection
& Resource Management
County Courts Building
401 Bosley Avenue
Towson, Maryland 21204
(301) 887-5733

Robert W. Sheesley
Director

April 21, 1989

Mr. J. Robert Haines,
Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, MD 21204

Dear Mr. Haines:

Comments on Zoning Advisory Committee Meeting, Item #333 are as follows:

Property Owner: Robert P. Schlottenbeck - Joseph E. Davis
Location: NWS Old North Point, 1,770' N of NEC North Point Boulevard
Existing Zoning: B.R.-C.S.-1/B.R.-I.M.
Proposed Zoning: Variance to allow a 6.5 ft. side yard in lieu of the required 30 ft.; to allow a crusher run surface in lieu of the required durable and dust-free surface.
Area: 2.02 acres (+ or -)
District: 15th Election District

This office recommends approval for non-conforming use of lot to be used for parking and storage and to permit a dustless and durable surface of Crusher Run in lieu of Macadam Paving providing all crusher run or stone surfaces are to be treated in accordance with Environmental Article 26.11.06.03 D D1(a) and (b) in order to prevent particulate matter from becoming airborne. Treatment and maintenance of this surface will be on a continuing basis as necessary to control airborne particulate.

Very truly yours,

Robert C. Metzger
Robert C. Metzger, Jr., Director
Division of Support Services
Bureau of Air Quality Management

tk

RECEIVED
APR 24 1989
ZONING OFFICE

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines
Zoning Commissioner

DATE: May 25, 1989

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS

Case # 89-480 A
Item # 333

Re: Robert P. Schlottenbeck, et al

Site needs a CRG meeting or waiver. The approved zoning plan should conform to the approved CRG plan and the final landscape plan.

This office has been advised by the Department of Environmental Protection and Resource Management that a macadam surface with proper storm water management would be the best design for this site. A final landscape plan is required prior to building permits.

A:52689.txt Pg.4

RECEIVED
MAY 26 1989
ZONING OFFICE

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Mr. J. Robert Haines
Zoning Commissioner

DATE: May 23, 1989

FROM: Mr. Robert W. Sheesley

SUBJECT: ASI Building, Item #333

This Department does not support the variance request from Section 409.8 of the Baltimore County 1981 Zoning Regulations to allow a crusher run surface in lieu of the required durable and dust free surface. Enclosed are comments from the Chesapeake Bay Critical Area Program and the Environmental Impact Review Section whose review concludes dissatisfaction with the proposed plan.

If you have any questions, please contact Mr. David C. Flowers or Mr. Rocky Powell at X3980.

Very truly yours,

Robert W. Sheesley
Robert W. Sheesley, Director
Department of Environmental
Protection and Resource Management

RWS:NSS:ju
cc: Hon. Ronald B. Hickernell
Hon. Norman W. Lauenstein
Hon. Dale T. Volz
Mrs. Janice Outen

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Mr. Robert W. Sheesley

DATE: May 23, 1989

FROM: Mr. David C. Flowers

SUBJECT: ASI Building - Item #333
Chesapeake Bay Critical Area Findings and
Environmental Impact Review Section's comments.

SITE LOCATION

This property is located on Old North Point Road north of Wise Avenue. A portion of the property lies in the Chesapeake Bay Critical Area and is classified as an Intensely Developed Area (IDA).

APPLICANT PROPOSAL

Robert P. Schlottenbeck and Joseph E. Davis are the owners of this property. They propose a 9,000 square foot machine shop with 15,246 square feet of surrounding paving. A portion of this is proposed to be porous paving. The applicants request a variance of Section 238.2 and Section 409.8 of the Baltimore County 1981 Zoning Regulations to allow a 6.5 foot sideyard in lieu of the required 30 feet and to allow a crusher run surface in lieu of the required durable and dust free surface.

GOALS OF THE CHESAPEAKE BAY CRITICAL AREA PROGRAM

In accordance with the Chesapeake Bay Critical Area Program, all project approvals shall be based on a finding which assures that proposed projects are consistent with the following goals of the Critical Area Law:

1. "Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have runoff from surrounding lands;
2. Conserve fish, wildlife and plant habitat; and
3. Establish land use policies for development in the Chesapeake Bay Critical Area which accommodate growth and also address the fact that even if pollution is controlled, the number, movement, and activities of persons in that area can create adverse environmental impact."

<COMAR 14.15.10.01.0>

Regulations and Findings:

1-Regulation: "New development and redevelopment within the IDA shall use Best Management Practices or other technology which reduces pollutant loadings by 10% of the on-site level prior to new development or redevelopment." <Baltimore County Code Sec. 22-217>

Findings: This proposed development satisfies the pollution reduction requirement as specified in "A Framework for Evaluating Compliance with the Chesapeake Bay Critical Area 10% Rule."

2-Regulation: "No dredging, filling, or construction in any wetland shall be permitted. Any wetland must be adequately protected from contamination" <Chesapeake Bay Critical Area 10% Rule>

Findings: A review of this site and the surrounding area found no tidal or non-tidal wetlands.

Upon compliance with the above requirements, this project will be approved. Please contact me or Nancy Sanfr at X3980 if you require additional information.

David C. Flowers

David C. Flowers, Coordinator
Chesapeake Bay Critical Area Program

DF:NSS:ju

cc: Janice Outen

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Mr. Robert W. Sheesley

DATE: May 23, 1989

FROM: Mr. Rocky Powell

SUBJECT: ASI Building - Item #333

A review of the proposed ASI Building does not support the zoning variance request to allow a crusher run surface in lieu of the required durable and dust free surface. A crusher run surface will increase the sediment load generated from this naturally vegetated site and is therefore not compatible with the proposed storm water management pond. Increases in sediment loads will silt in the pond and reduce its management abilities at a much quicker than normal rate. Large storms may flush these sediments downstream and into Schoolhouse Cove. The crusher run surface is also not compatible with the proposed porous paving. Sediments generated from this crusher run surface will be easily tracked onto the adjacent porous pavement. This will essentially clog the pavement and diminish its infiltration capabilities. Because of these negative impacts associated with this crusher run surface, this review does not support the zoning variance request.

Rocky Powell

Rocky Powell, Coordinator
Environmental Impact Review Group

RP:NS:ju

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Al Wirth - SWM
Bob Bowling - Dev. Eng. (3)
Gary Kerns - Current Planning
Rahim Famlil - Traffic Engineering
Larry Pilsen - DEPRM
Carl Richards - Zoning
Capt. Kelly - Fire Department
Pat Kline - Rec. & Parks
Chuck Weiss - Sanitation
Larry Brocato - SHA
Dave Flowers - DEPRM

DATE: February 24, 1989

FROM: Tom Watson
Bureau of Public Services

SUBJECT: ASI
Refitts & Assoc.
341-2336

The subject property was granted a waiver of CRG meeting by the Office of Planning & Zoning. However, CRG approval signatures must be obtained.

Please review the attached plan for concurrence with current development regulations and give us your approval or comments by March 10, 1989. Nonresponsiveness by the aforementioned date is considered to be concurrence by your office of the plan.

1. Correct zoning notes and plan per 1"=200' scale zoning map SE33. Show nearest intersecting street names on vicinity map.
2. Final zoning permit approval subject to the outcome of any required variance hearings (as noted on plan).
3. Indicate front orientation of the proposed bldg. and setbacks to any existing or proposed street R/W. All setbacks must meet requirements of S.238 B.C.Z.R.
4. Complete P.A.R. calculations and record keeping notes to read 1 pkg space for each employee on the 15,000 sq. ft. of office area, and 3.3 parking spaces for each 1,000 sq. ft. of office space.

CTW:g
Attachment
cc: 1 le

John L. Lewis
John L. Lewis
Planning & Zoning Associate III

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Mr. J. Robert Haines
Zoning Commissioner

DATE: May 23, 1989

FROM: Mr. Robert W. Sheesley

SUBJECT: ASI Building, Item #333

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If you have any questions, please contact Mr. David C. Flowers or Mr. Rocky Powell at X3980.

Very truly yours,

Robert W. Sheesley

Robert W. Sheesley, Director
Department of Environmental
Protection and Resource Management

RWE:NSS:ju

cc: Hon. Ronald B. Hickernell
Hon. Norman W. Lauenstein
Hon. Dale T. Volz
Mrs. Janice Outen

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(410) 837-3333

J. Robert Haines
Zoning Commissioner

June 30, 1989

John B. Gentrup, Esquire
809 Eastern Boulevard
Baltimore, Maryland 21221

RE: PETITION FOR ZONING VARIANCE
NW/SE Old North Point Road, 1770' NE of North Point Boulevard
(4200 North Point Boulevard)
15th Election District - 7th Councilmanic District
Robert P. Schlotterbeck, et al - Petitioners
Case No. 89-480-A

Dear Mr. Gentrup:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Zoning Variance has been granted with modifications in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 494-3391.

Very truly yours,

Ann M. Nastarowicz
ANN M. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

AMN:bjjs

cc: Mr. Joseph Dally
4201 North Point Road, Baltimore, Md. 21222

Ms. Cyrethia Taylor
4209 North Point Road, Baltimore, Md. 21222

People's Counsel

File

Chesapeake Bay Critical Areas Commission
Tawes State Office Bldg., D-4, Annapolis, Md. 21404

DEPRM

27 U.S. 1000-10000

APPLICANT/DEVELOPER
ROBERT SCLOTTERBECK
AUTOSCREW INC.
P.O. BOX 4983
BALTIMORE MD 21220
(301) 687-9481